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## House Bills

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**HB 1023-S** by House Committee on Local Government (originally sponsored by Representatives Orcutt, Buck, Kessler, Takko and Blake)

Authorizing an exemption from critical area development regulations for tsunami resistant structures.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Declares that the guidelines established by the department under this act regarding classification of critical areas shall provide for an exemption for tsunami resistant structures built in geologically hazardous areas. For the purposes of this act, "tsunami resistant structure" means a structure that: (1) Meets construction standards adopted by a local government pursuant to guidelines issued by the national oceanic and atmospheric administration under the national tsunami hazard mitigation program as of January 1, 2005;

(2) Is designed for the primary purpose of providing emergency shelter to the residents of the local government in the event of a tsunami;

(3) Is not suitable for long-term residential habitation;

(4) May be used as a training site for emergency responders; and

(5) Is included as a hazard mitigation measure in an adopted comprehensive hazard mitigation plan approved by the department of ecology or the United States federal emergency management agency.

**-- 2005 REGULAR SESSION --**

Feb 21 LG - Majority; 1st substitute bill be substituted, do pass.

**HB 1050-S2** by House (originally sponsored by Representatives Kenney, Hinkle, Kagi, Dunn, Quall, Clements, Morrell, McIntire, Schual-Berke, Haigh, Simpson, Linville, Santos and Chase)

Creating a foster care endowed scholarship program.

**(DIGEST OF PROPOSED 2ND SUBSTITUTE)**

Declares that the purpose of the program is to help students who were in foster care attend an institution of higher education in the state of Washington. The foster care endowed scholarship program shall be administered by the higher education coordinating board.

Creates the foster care endowed scholarship advisory board.

Authorizes the higher education coordinating board to deposit twenty-five thousand dollars of state matching funds into the foster care scholarship endowment fund when the board can match state funds with an equal amount of private cash donations.

Provides that, after the initial match of twenty-five thousand dollars, state matching funds from the foster care endowed scholarship trust fund shall be released to the foster care scholarship endowment fund semiannually so long as there are funds available in the foster care endowed scholarship trust fund.

**-- 2005 REGULAR SESSION --**

Feb 21 APP - Majority; 2nd substitute bill be substituted, do pass.

Feb 23 Placed on second reading.

**HB 1100-S** by House (originally sponsored by Representatives Kenney, Priest, Morrell, Fromhold, Jarrett, Sommers, Ormsby, Appleton, Tom, Anderson, Roberts, P. Sullivan, Lantz, Dickerson, Schual-Berke and Santos)

Creating a state financial aid account.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Creates the state financial aid account in the custody of the state treasurer. The primary purpose of the account is to ensure that all appropriations designated for financial aid through statewide student financial aid programs are made available to eligible students.

Requires the higher education coordinating board to deposit in the account all money received for the state need grant program established under RCW 28B.92.010, the state work-study program established under chapter 28B.12 RCW, the Washington scholars program established under RCW 28A.600.110, the Washington award for vocational excellence program established under RCW 28C.04.525, and the educational opportunity grant program established under chapter 28B.101 RCW.

Provides that expenditures from the account shall be used for scholarships to students eligible for the programs according to program rules and policies.

Declares that disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW.

Provides that only the executive director of the higher education coordinating board or the executive director's designee may authorize expenditures from the account.

**-- 2005 REGULAR SESSION --**

Feb 21 APP - Majority; 1st substitute bill be substituted, do pass.

Feb 23 Passed to Rules Committee for second reading.

**HB 1169-S** by House Committee on Local Government (originally sponsored by Representatives Quall, P. Sullivan, Talcott, Strow, Grant, Buri, Morrell, Miloscia, Dickerson, Morris, Lovick, Simpson, Tom, Chase, Kenney, O'Brien, Sells, Ormsby, Haigh and Santos)

Including public school facilities as essential public facilities.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Amends RCW 36.70A.200 to include public school facilities as essential public facilities.

Provides that, by resolution, a school district board of directors can declare a specific public school facility an essential public facility, but it cannot specify a particular parcel, site, or geographic area for its location.

**-- 2005 REGULAR SESSION --**

Feb 21 LG - Majority; 1st substitute bill be substituted, do pass.

Feb 23 Passed to Rules Committee for second reading.

**HB 1229-S** by House Committee on Local Government (originally sponsored by Representatives Chase, Schindler, Clibborn and Simpson)

Revising provisions relating to annexation of territory of certain cities by water-sewer districts. Revised for 1st Substitute: Revising provisions relating to annexation of certain cities by water-sewer districts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, if a district acquires either water facilities or sewer facilities, or both from a city, and the district and the city within which the facilities are located enter into an agreement stating that the district will seek annexation of territory within that city, the district commissioners may initiate a process for the annexation of such territory.

-- 2005 REGULAR SESSION --

- Feb 21 LG - Majority; 1st substitute bill be substituted, do pass.  
Feb 23 Passed to Rules Committee for second reading.

**HB 1326-S** by House (originally sponsored by Representatives Conway, Crouse, Simpson and Chase; by request of Select Committee on Pension Policy)

Restricting the public employment of retirees from the teachers' retirement system and the public employees' retirement system. Revised for 2nd Substitute: Rehire of retired pblc emp

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Restricts the public employment of retirees from the teachers' retirement system and the public employees' retirement system.

-- 2005 REGULAR SESSION --

- Feb 21 APP - Majority; 1st substitute bill be substituted, do pass.  
Feb 23 Passed to Rules Committee for second reading.

**HB 1418-S** by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Kirby, Roach, Simpson, Santos, Campbell, Orcutt, Williams and Serben)

Regulating insurance overpayment recovery practices.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that an insurer may not retroactively deny, adjust, or seek recoupment or refund of a paid claim for health care expenses submitted by a health care provider for any reason, other than fraud or coordination of benefits, after the expiration of one year from the date that the initial claim was paid.

Takes effect January 1, 2006.

-- 2005 REGULAR SESSION --

- Feb 22 FII - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.

**HB 1470-S** by House (originally sponsored by Representatives Morrell, McDonald and Chase)

Authorizing additional sales tax authority for public facilities districts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that, except as otherwise provided in this act, the governing body of a public facilities district created after July 1, 2006, but before June 30, 2008, under chapter 35.57 or 36.100 RCW that commences construction of a new regional center to be used for community events, and artistic, musical, theatrical, or other cultural exhibitions, presentations, or performances and having two thousand or fewer permanent seats, or improvement or rehabilitation of an existing regional center to be used for community events, and artistic, musical, theatrical, or other cultural exhibitions, presentations, or performances and having two thousand or fewer permanent seats, before January 1, 2009, may impose a sales and use tax in accordance with the terms of chapter 82.14.RCW, provided the public facilities district is located in a county with a population in excess of seven hundred thousand.

Declares that the tax imposed in this act expires on the earlier of: (1) The date when the bonds issued for the construction of the cultural center and related parking facilities are retired;

(2) Twenty years after the tax is first collected; or

(3) The date when the cumulative total of taxes collected has exceeded eighteen million dollars.

-- 2005 REGULAR SESSION --

- Feb 22 EDAT - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.

**HB 1507-S** by House Committee on Judiciary (originally sponsored by Representatives Cody, Lantz, Priest, Schual-Berke, Darneille, Kirby and Moeller)

Prohibiting civil or criminal liabilities or penalties for actions related to the Washington state health insurance pool.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the pool, members of the pool, board directors of the pool, officers of the pool, employees of the pool, the commissioner, the commissioner's representatives, and the commissioner's employees shall not be civilly or criminally liable and shall not have any penalty or cause of action of any nature arise against them for any action taken or not taken, including any discretionary decision or failure to make a discretionary decision, when the action or inaction is done in good faith and in the performance of the powers and duties under chapter 48.41 RCW.

Declares that, however, nothing in this act prohibits legal actions against the pool to enforce the pool's statutory or contractual duties and obligations.

-- 2005 REGULAR SESSION --

- Feb 22 JUDI - Majority; 1st substitute bill be substituted, do pass.

**HB 1607-S** by House Committee on Higher Education  
(originally sponsored by Representatives Strow, Kenney, Walsh, McCoy, Ormsby, Murray, Chase, Dickerson, Hasegawa, Roberts, Santos and Hudgins)

Including members of the Samish Indian Nation for purposes of resident tuition.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Includes members of the Samish Indian Nation and the Cowlitz Tribe for purposes of resident tuition.

**-- 2005 REGULAR SESSION --**

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| Feb 18 | HE - Majority; 1st substitute bill be substituted, do pass. |
| Feb 22 | Passed to Rules Committee for second reading.               |

**HB 1631-S** by House Committee on Local Government  
(originally sponsored by Representatives Clibborn, Fromhold, Moeller, Wallace and Jarrett)

Using revenues under the county conservation futures levy.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Finds that conservation futures are a useful tool for counties to preserve lands of public interest for future generations. Counties are encouraged to use some conservation futures as one tool for salmon restoration purposes.

Provides that the amount of revenue used for maintenance and operations of parks and recreational facilities may not exceed twenty-five percent of the total amount collected from the tax levied under RCW 84.34.230 in the preceding calendar year. Revenues from this tax may not be used to supplant existing maintenance and operation funding. Any rights or interests in real property acquired under this act must be located within the assessing county.

Provides that, in counties greater than one hundred thousand in population, the board of county commissioners or county legislative authority shall develop a process to help ensure distribution of the tax levied under RCW 84.34.230, over time, throughout the county.

**-- 2005 REGULAR SESSION --**

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| Feb 21 | LG - Majority; 1st substitute bill be substituted, do pass. |
| Feb 23 | Referred to Finance.  |

**HB 1643-S** by House Committee on Judiciary  
(originally sponsored by Representative B. Sullivan)

Extending liability immunity to certain skate parks that charge a nominal fee.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Provides that a public or private nonprofit owner or operator of a skate park may charge a nominal fee of no more than five dollars per day for the use of a skate park where the fees are devoted solely to providing supervision of the use and maintenance of the skate park facility. For purposes of this act, "skate park" means an indoor or outdoor ramp, course, or area specifically designated for the

exclusive recreational or sporting use of skateboards, bicycles, scooters, or roller skates.

**-- 2005 REGULAR SESSION --**

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| Feb 22 | JUDI - Majority; 1st substitute bill be substituted, do pass.<br>Minority; do not pass. |
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**HB 1680-S** by House Committee on Local Government  
(originally sponsored by Representatives Upthegrove, Jarrett, Moeller, B. Sullivan, Kirby, Cody, McDermott, Haler, Santos, Schual-Berke, Kenney and Simpson)

Promoting safe neighborhoods through more effective community planning.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Declares that local governments should be provided with the opportunity to obtain assistance from the state for the purpose of adopting or revising community planning processes to include concepts and policies designed to achieve the goal of improving neighborhood safety and security. This goal should be accomplished through community-based pilot projects funded through matching funds to be implemented through a grant process administered by the department of community, trade, and economic development.

Provides that, subject to funding made available for this purpose, the department shall include in its program of technical and financial assistance established in RCW 36.70A.190, two pilot projects created by local governments to encourage and facilitate both the study and implementation of safe neighborhood planning. Priority should be given to programs: (1) Aimed at facilitating improvements to existing private properties for the purpose of crime prevention;

(2) Integrated into a comprehensive crime prevention and property improvement plan; and

(3) Involving a partnership between the public and private sectors.

Requires the department of community, trade, and economic development to make a written report to the house of representatives local government committee by December 1, 2006, containing a description and evaluation of the pilot projects implemented under this act.

**-- 2005 REGULAR SESSION --**

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| Feb 21 | LG - Majority; 1st substitute bill be substituted, do pass. |
| Feb 23 | Referred to Appropriations.                                 |

**HB 1794-S** by House Committee on Higher Education  
(originally sponsored by Representatives Kenney, Cox, Sommers, Fromhold, Priest, Sells, Moeller, Hasegawa, Conway, Ormsby, McCoy, Roberts, Kessler, Darneille, O'Brien, Murray, Dickerson, Lantz, Williams, Chase, Hunter, Lovick, Dunshee, Kagi, Morrell, Haigh, McDermott, Wood and Hudgins)

Expanding access to baccalaureate degree programs.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Finds that, the higher education coordinating board has developed a strategic master plan for higher education that sets a goal of increasing the number of students who earn

college degrees at all levels: Associate, baccalaureate, and graduate. The strategic master plan also sets a goal to increase the higher education system's responsiveness to the state's economic needs.

Finds that to meet both of the master plan's goals and to provide adequate educational opportunities for Washington's citizens, additional access is needed to baccalaureate degree programs. Expansion of the four campuses is one strategy for achieving the desired outcomes of the master plan. Other strategies must also be implemented through service delivery models that reflect both regional demands and statewide priorities.

Declares an intent to increase baccalaureate access and encourage economic development through overall expansion of upper division capacity, continued development of two plus two programs in some areas of the state, authorization of four-year university programs in other areas of the state, and creation of new types of baccalaureate programs on a pilot basis. These steps will make significant progress toward achieving the master plan goals, but the legislature will also continue to monitor the development of the higher education system and evaluate what additional changes or expansion may be necessary.

Finds that access to baccalaureate and graduate degree programs continues to be limited for residents of North Snohomish, Island, and Skagit counties. Studies conducted by the state board for community and technical colleges, the higher education coordinating board, and the council of presidents confirm that enrollment in higher education in this geographic region lags enrollment in other parts of the state, particularly for upper division courses leading to advanced degrees.

Declares an intent to refocus the consortium by assigning management and leadership responsibility for consortium operations to Everett Community College. Everett Community College shall collaborate with community and business leaders, other local community colleges, the regional universities, and The Evergreen State College to develop an educational plan for the North Snohomish, Island, and Skagit county region based on the university center model. The plan should provide for coordinated delivery of lower and upper division courses, expanded availability of high demand degree and certificate programs in the region, and a timeline and cost estimates for moving the physical location of the consortium to the college campus. The college shall submit preliminary recommendations to the higher education and fiscal committees of the legislature by December 1, 2005.

Requires the higher education coordinating board to define potential outcomes resulting from this act and develop performance measures for those outcomes, including but not limited to increased numbers of baccalaureate degrees awarded; expansion of upper division and graduate capacity at the University of Washington Bothell and Tacoma and Washington State University Tri-Cities and Vancouver; enhanced regional access to baccalaureate programs; and creation and award of applied baccalaureate degrees. The board shall provide a progress report on the outcomes to the higher education committees of the senate and the house of representatives by December 1, 2008.

Expires July 1, 2009.

**-- 2005 REGULAR SESSION --**

Feb 18 HE - Majority; 1st substitute bill be substituted, do pass.  
Feb 22 Referred to Appropriations.

**HB 1833-S** by House Committee on Children & Family Services (originally sponsored by Representatives Kagi, Hinkle, Conway, Walsh, Kenney, Chase, Pettigrew, Appleton, Upthegrove, Morrell, Simpson, Haler and Santos)

Providing incentives for improved job training and placement services.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Finds that assisting recipients of the WorkFirst program and other individuals who are seeking jobs with job training and job placement services is critical to supporting the self-sufficiency of families as well as the economic well-being of the state. Job training and placement services are currently offered through multiple agencies and programs, each with their own eligibility requirements and funding sources.

Declares an intent to improve the efficiency and effectiveness of job training and placement services for recipients of the WorkFirst program and other individuals who are seeking jobs by integrating the delivery of those services in communities across the state.

Requires the board to include in its planning requirements for local work force investment boards a requirement that local work force investment boards specify how the job training and placement services under P.L. 105-220, or its successor, and the job training and placement services provided through the WorkFirst program are to be integrated.

Establishes an incentive program in the governor's office for integrating the delivery of job training and placement services for recipients of the WorkFirst program and other individuals who are seeking jobs.

Authorizes local work force investment boards to apply, in partnership with the WorkFirst program and other partners in the one-stop system, to receive funding under the incentive program. In applying for funding, the local work force investment boards shall clearly demonstrate the approach to integration of job training and placement services that they will undertake.

**-- 2005 REGULAR SESSION --**

Feb 21 CFS - Majority; 1st substitute bill be substituted, do pass.  
Feb 23 Referred to Appropriations.

**HB 1856-S** by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Condotta, Wood, McCoy, Kessler, Campbell and Chase)

Requiring industrial insurance fund audits.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Requires the department to: (1) Prepare financial statements on the state fund in accordance with generally accepted accounting principles, including but not limited to financial statements on the accident fund, the medical aid fund, the supplemental pension fund, and the second injury fund. Statements must be presented separately by fund and in the aggregate; and

(2) Prepare financial information for the accident fund, medical aid fund, and pension reserve fund based on statutory accounting practices and principles promulgated by the national association of insurance commissioners for the purpose of maintaining actuarial solvency of these funds.

Provides that, beginning in 2006, and, to avoid duplication, coordinated with any audit that may be conducted under RCW 43.09.310, the state auditor shall conduct annual audits of the state fund. As part of the audits required under this act, the auditor may contract with firms qualified to perform all or part of the financial audit, as necessary.

Requires the firm or firms conducting the reviews to be familiar with the accounting standards applicable to the accounts under review and shall have experience in workers' compensation reserving, discounting, and rate making.

Requires the auditor to issue an annual report to the governor, the leaders of the majority and minority caucuses in the senate and the house of representatives, the director of the office of financial management, and the director of the department of labor and industries on the results of the financial audit and reviews, within six months of the end of the fiscal year. The report may include recommendations.

Requires the audit report to be available for public inspection.

**-- 2005 REGULAR SESSION --**

Feb 21 CL - Majority; 1st substitute bill be substituted, do pass.

**HB 2198** by Representatives Clements, Conway, Condotta and McDonald

Waiving unemployment compensation employer penalties.

Provides that if a quarterly wage report lists an employee's name, hours worked, and wages paid, but does not list the employee's social security number, and if the employee's hours worked are less than seventy hours, it is presumed that, on or before the seventh day after the occurrence of the first day of employment, the employee did not: (1) Show the employer the employee's account number card issued by the social security administration;

(2) Advise the employer of the employee's account number and name; or

(3) Show the employer a receipt issued to him by an office of the social security administration acknowledging that an application for an account number has been received. In these circumstances, the commissioner shall waive any penalties for not listing the employee's social security number on the quarterly wage report.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Commerce & Labor.

**HB 2199** by Representatives Linville, Kessler, Condotta, Grant, Bailey, Pettigrew, Wallace, Morrell, Morris, Nixon, Campbell, Ericks, McDonald, Talcott, Armstrong, Woods, Kristiansen, Serben, Holmquist, Roach, Newhouse, McCune, Tom, Strow, Priest, Rodne and Ahern

Concerning the offering of health savings accounts.

Provides that, notwithstanding any other provision of RCW 48.21.045, 48.44.023, and 48.46.066, an insurer offering any health benefit plan to a small employer may offer small group health benefit plans that qualify as insurance coverage combined with a health savings account as defined by the United States internal revenue service.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Health Care.

**HB 2200** by Representatives O'Brien, Darneille, Kagi and Upthegrove

Granting earned release credits for specified offenders.

Provides that the secretary may grant up to thirty days earned release credit, in addition to credit earned otherwise under RCW 9.94A, to any offender who: (1) Is housed, immediately prior to release, in a minimum security correctional facility as defined by the department;

(2) Has less than twelve months of total confinement time remaining in the offender's sentence; and

(3) Has successfully completed all training, physical ability testing, and a minimum of six months' continuous employment in a work crew supervised by the department of natural resources.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Criminal Justice & Corrections.

**HB 2201** by Representatives Dunshee, Flannigan, Campbell, Hudgins and Simpson

Prohibiting vaccinating pregnant women and children with mercury-containing vaccines.

Provides that, beginning July 1, 2006, a person who is known to be pregnant or who is under three years of age shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose.

Declares that, notwithstanding this provision, an influenza vaccine may contain up to 1.0 micrograms of mercury per 0.5 milliliter dose.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Health Care.

**HB 2202** by Representatives Kenney, Grant, Hinkle, Clibborn, Curtis, Linville, Eickmeyer, Newhouse, McCoy, Buri, Morrell, Kilmer, Chase, Pettigrew, Morris, Hudgins, Simpson, Conway and Santos

Studying the impact of agriculture and food processing on the state's economy.

Directs the department of agriculture to commission a comprehensive study of the direct, indirect, and induced impacts of agriculture and food processing on the state's economy. The study shall consider the multiplier effects of the agriculture and food industries on sectors such as: Transportation; research and development; retailing; packaging; distribution and storage; inputs; banking; law; manufacturing; tourism; and other relevant industries. The study shall include data on the statewide and regional impacts of the agriculture and food processing industries; growth trends of specific commodities and value-added products; and external events or conditions that are affecting the economic performance of the agriculture and food industry overall.

Requires the department of agriculture to submit a report on the study findings and recommendations to the appropriate committees of the legislature by December 1, 2005.

Appropriates the sum of one hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year

ending June 30, 2006, from the general fund to the department of agriculture for the purposes of this act.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Economic Development, Agriculture & Trade.

**HB 2203** by Representatives Conway and Wood

Defining wages for industrial insurance purposes.

Amends RCW 51.08.178 relating to industrial insurance, but only with respect to defining wages to include the cost of health insurance.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Commerce & Labor.

**HB 2204** by Representatives Hunter, Talcott, Quall, Tom, Hudgins, Simpson, Anderson, Haigh and Lantz

Providing assistance for students who have not been successful in scoring at the proficient level on the WASL.

Requires the superintendent of public instruction to provide, at no charge to school districts, one or more diagnostic instruments for districts to use with every high school student at the tenth grade level or higher who is not on track to graduate on time. The instruments shall be used to inform the plans required under this act and RCW 28A.655.061(13)(a)(iii).

Directs the superintendent of public instruction to create and make available for voluntary use, model curricula and instructional materials for high school summer school programs designed to help students who have not been successful in their attempts to score at or above the proficient level in each content area of the high school Washington assessment of student learning required for the certificate of academic achievement.

Provides that each tenth through twelfth grade student who is required to obtain a certificate of academic achievement in order to graduate but who scores below the proficient level in any content area of the high school Washington assessment of student learning shall, before the end of the school year in which the scores were returned, take one or more diagnostic assessments provided by the school district under this act and have a plan that meets the requirements of RCW 28A.655.061(13)(a)(iii).

Provides that each high school student who is required to obtain a certificate of academic achievement in order to graduate but who scores below the basic level in any content area of the Washington assessment of student learning shall retain sophomore status until the student either attends summer school or scores at the basic level or above in each required content area on the assessment.

Requires each school district to provide diagnostic assessments and a summer school program for tenth through twelfth grade students who are required to obtain a certificate of academic achievement in order to graduate but score below the basic level in any content area of the Washington assessment of student learning. The program may also serve any high school student who scores below the proficient level in any content area of the assessment.

Declares an intent that the summer school programs have small class sizes that are taught by highly qualified certificated staff.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Education.

**HB 2205** by Representatives Appleton, Sells, Morris, B. Sullivan, Kilmer, Hudgins, Simpson, Haigh, Lantz, Kenney and McDermott

Reestablishing galley service on ferries.

Requires the department to seek to promptly reestablish galley food service on vessels. In reestablishing galley service, the department shall follow these principles: (1) First, make every effort to facilitate the completion of current negotiations for the provision of galley service for the 2005 summer season.

(2) At a minimum, fully recover the costs of providing galley service.

(3) Consider state operation of galley service if it will result in earliest commencement of the service.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Transportation.

**HB 2206** by Representatives Haigh and Nixon

Changing provisions relating to limited development of rural areas.

Amends RCW 36.70A.070 relating to connection of limited areas of more intensive rural development for recreational or tourist use to existing public facilities.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Local Government.

**HB 2207** by Representatives Simpson and Springer

Clarifying the best available science requirement.

Provides that, to demonstrate that the best available science has been included in the development of critical areas policies and regulations, counties and cities must address each of the following on the record: (1) The specific policies and development regulations adopted to protect the functions and values of the critical areas at issue;

(2) The relevant sources of best available scientific information included in the decision making; and

(3) Any nonscientific information, including legal, social, cultural, economic, and political information, used as a basis for critical area policies and regulations.

Provides that if a county or city elects to adopt a critical area policy or regulation that is outside the range that best available science alone would support because another goal or requirement of chapter 36.70A RCW cannot otherwise be achieved, the county or city must: (1) Identify the information in the record that supports its decision to depart from science-based recommendations;

(2) Explain its rationale for departing from science-based recommendations;

(3) Identify potential risks to the functions and values of the critical area or areas at issue and any additional measures chosen to limit such risks; and

(4) Identify evidence in the record that shows the departure is necessary to achieve the goals or requirements of this chapter.

Provides that, if a county or city adopts a policy or regulation under this act, the county or city must minimize risk and employ monitoring and adaptive management and any other components necessary to confirm whether the

approach used is adequately protecting the functions and values of that critical area, and adjust the approach as necessary to ensure protection of critical area functions and values.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Local Government.

**HB 2208** by Representatives Campbell, Ericks and Dunn

Concerning assignment of a debt to a collection agency.

Declares that no person, other than an entity subject to RCW 19.16.500, may assign a debt to a collection agency unless: (1) The person has made an attempt to advise the debtor (a) of the existence of the debt; and (b) that the debt may be assigned to a collection agency for collection if the debt is not paid within ten days after the date of notice of the existence of the debt; and

(2) At least thirty days have elapsed from the time notice was attempted.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Financial Institutions & Insurance.

**HB 2209** by Representatives Pettigrew, Haler, Linville and Dunn

Extending local taxing authority to fund miscellaneous facilities.

Provides for the extension of local taxes to fund arts, cultural and heritage institutions, and publicly owned sports and entertainment facilities.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Economic Development, Agriculture & Trade.

**HB 2210** by Representatives Priest, Nixon, Ericks, Simpson, Eickmeyer, Dunn, Haler, Woods, Hankins, Sells, Tom and Kenney

Authorizing agreements between community and technical colleges and four-year institutions of higher education to provide degree programs.

Authorizes agreements between community and technical colleges and four-year institutions of higher education to provide degree programs.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Higher Education.

**HB 2211** by Representative Kagi

Modifying the excise taxation of toxic shot.

Revises the excise taxation of toxic shot.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Finance.

**HB 2212** by Representatives Hunter, Cox, Haigh, Talcott and Lantz

Relating to educator certification.

Finds that the professional certification process required of new teachers and experienced teachers from out of state is intended to provide candidates with a method for advancing their teaching skills and demonstrating their ability to improve student achievement.

Finds that the implementation of the professional certification process has faced unresolved challenges that include wide variations in the quality, relevance, and cost of different certification programs.

Declares an intent to direct state agencies to address issues of educator preparation.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Education.

**HB 2213** by Representatives Hunter, Tom and Santos

Regarding excess levy-related school funding.

Revises provisions regarding excess levy-related school funding.

Repeals RCW 28A.500.020.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Education.

## House Concurrent Resolutions

**HCR 4407** by Representatives Anderson, Haigh, Eickmeyer and Talcott

Requiring the joint legislative audit and review committee to study models of dividing Seattle school district into two or three districts.

Requires the joint legislative audit and review committee to study models of dividing Seattle school district into two or three districts.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Education.

## Senate Bills

**SB 5104-S** by Senate Committee on Transportation  
(originally sponsored by Senators Regala, Blandland, Hargrove, Weinstein, Esser, Kohl-Welles and Oke; by request of Washington Council for Prevention of Child Abuse and Neglect)

Creating the "Keep Kids Safe" license plate series.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Creates the "Keep Kids Safe" license plate series.

**-- 2005 REGULAR SESSION --**

Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

**SB 5105-S** by Senate Committee on Transportation  
(originally sponsored by Senators Swecker, Jacobsen, Kastama and Oke; by request of Utilities & Transportation Commission)

Regarding certification of entities regulated by the utilities and transportation commission.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Revises provisions regarding certification of entities regulated by the utilities and transportation commission.

**-- 2005 REGULAR SESSION --**

Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5122-S** by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kastama, Jacobsen, Weinstein, Rockefeller, Kline and Kohl-Welles)

Making the office of secretary of state a nonpartisan office. Revised for 1st Substitute: Authorizing nonpartisan elections for the offices of secretary of state and county auditor.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Provides that, effective on the date that the newly elected secretary of state takes office after the 2008 general election, the office of the secretary of state shall be a nonpartisan office. Candidates seeking election for the office of secretary of state in the 2008 general election shall run as nonpartisan candidates and be qualified and elected as such.

Provides that the county legislative authority may enact a resolution or ordinance to declare the office of county auditor to be a nonpartisan office. Beginning six months after such a declaration, elections for county auditor shall be conducted in accordance with general law governing the election of nonpartisan offices.

**-- 2005 REGULAR SESSION --**

Feb 3 GO - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5143-S** by Senate Committee on Transportation  
(originally sponsored by Senators Weinstein, Swecker, Jacobsen, Mulliken, Brandland and Parlette)

Authorizing a "Ski & Ride Washington" license plate.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Authorizes a "Ski & Ride Washington" license plate.

**-- 2005 REGULAR SESSION --**

Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5145-S** by Senate Committee on Transportation  
(originally sponsored by Senators Jacobsen, Swecker, Oke, Fraser, Johnson, Spanel, Rockefeller, Kohl-Welles, Delvin, Keiser, Haugen, Kastama, Kline, Hargrove, Regala, Franklin, Thibaudeau, Rasmussen and Shin)

Creating a boater safety education program. Revised for 1st Substitute: Establishing a boating safety education program.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Declares an intent to establish a boater safety education program that contributes to the reduction of accidents and increases the enjoyment of boating by all operators of all recreational vessels on the waters of this state.

Authorizes the commission to work with agencies and organizations representing nonmotorized vessel activities and individuals operating nonmotorized vessels to decrease accidents of operators in these vessels.

Encourages boating safety programs that use volunteer and private sector efforts to enhance boating safety and education for operators of nonmotorized vessels to work closely with the state parks and recreation commission in its efforts to reduce all boating accidents in this state.

Provides that, as part of the boating safety education program, the commission shall establish a program to be phased over eleven years starting July 1, 2005, with full implementation by January 1, 2016. The period July 1, 2005, through December 31, 2007, will be program development, boater notification of the new requirements for mandatory education, and processing cards to be issued to individuals having taken an approved course prior to January 1, 2008.

Provides that no person shall operate or permit the operation of motor driven boats and vessels with a mechanical power of fifteen horsepower or greater unless the person: (1) Is at least twelve years of age, except that an operator of a personal watercraft shall comply with the age requirements under RCW 79A.60.190; and

(2)(a) Has in his or her possession a boater education card, unless exempted; or (b) is accompanied by and is under the direct supervision of a person sixteen years of age or older who is in possession of a boater education card, or who is not yet required to possess the card as provided in the program phase in this act.

Creates the boating safety education certification account within the state treasury. All receipts from fees collected for the issuance of a boater safety education card shall be deposited in the boating safety education certification account and shall be appropriated only to the state parks and recreation commission to be used only for the administration of this act. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

**-- 2005 REGULAR SESSION --**

Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.

**SB 5219-S** by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kastama, Schmidt, Rockefeller and Pridemore)

Changing primary dates and associated election procedures.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Changes primary dates and associated election procedures.

Repeals RCW 29A.04.158, 29A.04.311, and 29A.24.211.

**-- 2005 REGULAR SESSION --**

- Feb 22 GO - Majority; 1st substitute bill be substituted, do pass.  
 Minority; do not pass.  
 Passed to Rules Committee for second reading.

**SB 5228-S** by Senate Committee on Transportation  
 (originally sponsored by Senators Jacobsen, Swecker, Oke, Doumit, Fraser, Rockefeller, Rasmussen and Roach)

Providing funding for watchable wildlife activities by creating the "Wild On Washington" license plates.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Provides funding for watchable wildlife activities by creating the "Wild On Washington" license plates.

**-- 2005 REGULAR SESSION --**

- Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
 Passed to Rules Committee for second reading.

**SB 5229-S** by Senate Committee on Transportation  
 (originally sponsored by Senators Swecker, Jacobsen, Doumit, Fraser, Kohl-Welles and Rasmussen)

Authorizing endangered wildlife license plates.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Authorizes endangered wildlife license plates.

**-- 2005 REGULAR SESSION --**

- Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
 Passed to Rules Committee for second reading.

**SB 5230-S** by Senate Committee on Transportation  
 (originally sponsored by Senators Swecker, Jacobsen, Oke, Doumit, Fraser, Rockefeller, Kohl-Welles and Rasmussen)

Establishing the Washington's Wildlife license plate collection.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Establishes the Washington's Wildlife license plate collection.

**-- 2005 REGULAR SESSION --**

- Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
 Passed to Rules Committee for second reading.

**SB 5250-S** by Senate Committee on Government Operations & Elections (originally sponsored by Senators Pridemore, Kastama, Berkey, Schmidt and Shin; by request of Department of General Administration)

Authorizing the department of general administration to enter into additional job order contracts.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Authorizes the department of general administration to enter into additional job order contracts.

**-- 2005 REGULAR SESSION --**

- Feb 9 GO - Majority; 1st substitute bill be substituted, do pass.  
 Minority; without recommendation.  
 Passed to Rules Committee for second reading.
- Feb 15 Made eligible to be placed on second reading.

**SB 5263-S** by Senate Committee on Transportation  
 (originally sponsored by Senators Haugen, Swecker, Oke and Mulliken; by request of Department of Licensing)

Updating laws on drugs and alcohol use by commercial drivers.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Updates laws on drugs and alcohol use by commercial drivers.

**-- 2005 REGULAR SESSION --**

- Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
 Passed to Rules Committee for second reading.

**SB 5339-S** by Senate Committee on Human Services & Corrections (originally sponsored by Senators Franklin, Regala, Hewitt, Brown, McCaslin, Fairley, Zarelli, Weinstein, Stevens, Kline, Hargrove and Kohl-Welles)

Regarding recidivism reduction through discharge of convicted felons.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Finds that: (1) Record numbers of our citizens have been sentenced to prison over the past two decades, more than ninety percent of whom will be reentering society.

(2) The successful reentry and reintegration of previously incarcerated men and women is important to the public safety of the state of Washington, to the health of our communities, and to the reduction of the growing costs of the criminal justice system.

(3) A comprehensive reentry program, including the removal of unreasonable barriers to reentry, offers the best opportunity for released persons to become productive citizens.

(4) Receipt of a certificate of discharge is critical to a released person's ultimate reintegration into society and

avoidance of recidivism, including better employability, housing, and the exercise of civil rights.

(5) It is in the public interest that a person who has satisfied all incarceration and supervision requirements of his or her sentence receive a certificate of discharge if he or she has made a good faith effort to satisfy all legal financial obligations, according to his or her means, and the legal financial obligations remain enforceable by all parties as a civil judgment.

**-- 2005 REGULAR SESSION --**

Feb 22 HSC - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.

**SB 5415-S** by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Fairley and Kline)

Making loans under chapter 31.45 RCW to military borrowers.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Revises provisions pertaining to making loans under chapter 31.45 RCW to military borrowers.

**-- 2005 REGULAR SESSION --**

Feb 22 FHC - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5444-S** by Senate Committee on Transportation (originally sponsored by Senators Jacobsen, Haugen and Brown)

Authorizing "Share the Road" license plates to commemorate Cooper Jones.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Declares that "Share the Road license plates" means license plates that commemorate the life of Cooper Jones and display a symbol of an organization that promote bicycle safety and awareness education in communities throughout Washington.

**-- 2005 REGULAR SESSION --**

Feb 22 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5486-S** by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Fairley, Kline and Rasmussen)

Regulating check cashers and sellers.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Provides that no licensee may engage in the business of making small loans to any person physically located in Washington state, including through use of the internet, facsimile, telephone, kiosk, or other remote means without first obtaining a small loan endorsement to its license from the director in accordance with chapter 31.45 RCW.

**-- 2005 REGULAR SESSION --**

Feb 22 FHC - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5633-S** by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Rasmussen, Rockefeller, Shin, Stevens, Hargrove, Mulliken and McAuliffe)

Revising provisions relating to retention of information concerning unfounded allegations of child abuse or neglect. Revised for 1st Substitute: Convening a work group to recommend standards for communication of information concerning dependent children.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Requires the work group to make recommendations regarding definitions of categories of information to be used, who should have access to categories of information, how long it is to be retained, how and when appropriate information is to be purged, compliance enforcement, and consequences for noncompliance. Recommendations shall address all forms of information whether it is kept in electronic, magnetic, paper, or other form of storage media. All recommendations shall be consistent with state and federal law governing release of confidential information. The work group shall report its recommendations to the legislature by December 1, 2005.

**-- 2005 REGULAR SESSION --**

Feb 22 HSC - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 6026** by Senators Kastama and McCaslin

Allowing members of the executive ethics board to serve a second term.

Authorizes members of the executive ethics board to serve a second term.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Government Operations & Elections.

**SB 6027** by Senators Hewitt and Fraser

Eliminating obsolete bond retirement accounts.  
Eliminates obsolete bond retirement accounts.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Ways & Means.

**SB 6028** by Senators Benson, Brown, Deccio, Poulsen, Brandland, Keiser, Parlette, Schoesler, Oke, Esser, Haugen, Swecker, Jacobsen, Schmidt, Kohl-Welles and Rasmussen

Adopting the service members' civil relief act.

Adopts the service members' civil relief act.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Judiciary.

**SB 6029** by Senators Schoesler, Morton, Mulliken and Delvin

Concerning water rights.

Amends RCW 90.03.380 to provide certainty and clarity in the administration of agricultural water rights.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Water, Energy & Environment.

**SB 6030** by Senators Haugen, Mulliken and Rasmussen

Revising the process for review of amendments to comprehensive plans and development regulations.

Provides that all petitions relating to whether or not amendments made to a comprehensive plan or development regulations pursuant to RCW 36.70A.130 comply with this chapter shall be limited to actual amendments adopted during that review process.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Government Operations & Elections.

**SB 6031** by Senators Swecker, Jacobsen and Oke

Authorizing a temporary sales and use tax for the renovation and maintenance of state parks facilities.

Authorizes a temporary sales and use tax for the renovation and maintenance of state parks facilities.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 6032** by Senator Mulliken

Modifying the oath of office to include support for the principles of the Declaration of Independence.

Revises the oath of office to include support for the principles of the Declaration of Independence.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Government Operations & Elections.

**SB 6033** by Senator Doumit

Creating a Washington coastal Dungeness crab pot buoy tag program.

Provides that, in order to administer a Washington coastal Dungeness crab pot buoy tag program, the

department may charge a fee to holders of a Dungeness crab--coastal or a Dungeness crab coastal class B fishery license to reimburse the department for the production of Washington coastal crab pot buoy tags and the administration of a Washington coastal crab pot buoy tag program.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 6034** by Senators Brown and Kohl-Welles

Establishing criteria for industrial insurance premium rates.

Provides that the rates should be designed to attempt to reduce volatility in premiums, by establishing rates of premium based upon historical rates of investment return and other recognized insurance principles.

Requires the department to, in consultation with the workers' compensation advisory committee, adopt rules regarding the level of assets needed to maintain actuarial solvency of the accident and medical aid funds in accordance with this provision. The department and the workers' compensation advisory committee shall consider the level of assets customarily used by private insurers offering workers' compensation insurance in other states and other states' workers' compensation funds.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Labor, Commerce, Research & Development.

**SB 6035** by Senator Mulliken

Clarifying how local governments may demonstrate that best available science has been included in growth management decisions.

Provides that to demonstrate that the best available science has been included in the development of critical areas policies and regulations, counties and cities must address each of the following on the record: (1) The specific policies and development regulations adopted to protect the functions and values of the critical areas at issue; (2) The relevant sources of best available scientific information in the decision making; and

(3) Any nonscientific information, including legal, social, cultural, economic, and political information, used as a basis for critical area policies and regulations that depart from recommendations derived from the best available science.

Provides that a county or city departing from science-based recommendations must: (1) Identify the information in the record that supports its decision to depart from science-based recommendations;

(2) Explain its rationale for departing from science-based recommendations; and

(3) Identify potential risks to the functions and values of the critical area or areas at issue and any additional measures chosen to limit such risks.

**-- 2005 REGULAR SESSION --**

Feb 23 First reading, referred to Government Operations & Elections.















